INSTRUMENT PREPARED BY VIRGINIA GAS AND OIL BOARD

ORDER RECORDED UNDER CODE OF VIRGINIA SECTION 45.1-361.26

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NO. VGOB-06-1114-1790

ELECTIONS: CBM Unit C-45 (hereinafter "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER

1. This Supplemental Order is entered by the Board sua sponte in the form authorized by the Board at its hearing held at 9:00 a.m. on October 20, 1992, Board of Supervisors Room, Courthouse, Grundy, Virginia, and pursuant to authority granted to the Board's Chairman at the hearing of the Virginia Gas and Oil Board on June 16, 1992 at 9:00 a.m. at the Rhododendron Restaurant at the Breaks Interstate Park, Breaks, Virginia; and this Supplemental Order is being recorded for the purpose of (1) complying with the requirements of the Virginia Gas and Oil Board Regulations, 4 VAC 25-160.70C by supplementing the Order previously issued by the Board for subject Docket on February 26, 2007 and recorded as Instrument No. 070000696 in the Office of the Clerk of the Circuit Court for Buchanan County, Virginia on February 27, 2007 (herein "Board Order") and (2) to complete the record regarding elections. The Board Order established a drilling unit and pooled all interests in Subject Drilling Unit including those of the Respondents more particularly set forth and identified by the Designated Operator in the affidavits attached hereto and made a part hereof. The Board finds it has jurisdiction over the subject matter pursuant to the provisions of the Virginia Gas and Oil Act, § 45.1-361.1 et seq., Virginia Code, 1950 as amended.

Findings: The Board finds that:

- (a) The Board Order directed GeoMet Operating Company, Inc. (herein the "Designated Operator"), to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by said Board Order:
- (b) The Designated Operator, through its agent S.T. Mullins, Esquire, filed its affidavit of mailing dated April 24, 2007, disclosing that it

had mailed a correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

- The Board Order required each Respondent whose interests, if (¢) any, were pooled by the terms of said Board Order to make his or her election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the Designated Operator has filed its affidavit dated April 17, 2015, in accordance with § 7.C of the Virginia Gas and Oil Board Regulations and 4 VAC 25-160.7C (herein "Affidavit of Elections" annexed hereto), wherein it has, for each Respondent whose interests, if any, were pooled by said Board Order, stated: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of the election(s) made, if any; and (iii) whether, by reason of failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Designated Operator;
- (d) Current Board standards requiring the escrow of funds and the Board's agreement with its Escrow Agent, The First Bank and Trust Company, 38 East Valley Street, Bristol, Virginia 24201; Telephone: (276) 466-9222 Attn: Kenneth Lovelace, or any successor named by the Board, require the entry of a Supplemental Order establishing of record the elections made or deemed to have been made and specifying the sums or percentage thereof subject to escrow. Current Board escrow standards were made applicable to Subject Drilling Unit by a Board Order dated July 18, 2006. The Affidavit of Elections indicates that the escrow of funds is required with regard to Well No. C-45 CBM Unit.
- 3. Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at Paragraph 2 above, to the extent escrow was required and to the extent it pertained to the elections and interests of the Respondents who have entered into a royalty split agreement and no longer require escrow of any funds, the Applicant is hereby directed to provide the Board with reconciliation of its and the Escrow Agent's records so that any funds affected by this Order may be disbursed in an appropriate manner.
- 4. Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or its Attorney shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Supplemental Order stating that a true and correct copy of this Supplemental Order was mailed within seven (7) days from the date of

- receipt of this Supplemental Order to each Respondent whose address is known.
- 5. <u>Conclusion</u>: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.
- 6. <u>Effective Date</u>: This Amended Supplemental Order shall be effective as of the date of the Board's approval of this Application, which is set forth at Paragraph 1 above.

DONE AND EXECUTED this 6 day of May, 2015 by a majority of the Virginia Gas and Oil Board.

Chairman, Bradley C. Lambert

COMMONWEALTH OF VIRGINIA COUNTY OF RUSSELL

REG. #7623162

Acknowledged on this _ day of _____ ____, <u>\$\logbreak\$05</u>, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so. # REG. #I

MY COMMINE EXPIRES
1/31/2019

DONF

Sally Settle Ketron, Notary Public

7623162

MY COMMISSION EXPIRES 1/31/2019 ... My Commission expires: January 31, 2019

DONE AND PERFORMED this 7 day of May, 2015 by Order of the Virginia Gas and Oil Board.

Rick Cooper

Principal Executive to the staff, Virginia Gas and Oil Board

Ruck Cooper

COMMONWEALTH OF VIRGINIA **COUNTY OF RUSSELL**

_, <u>2015</u>, personally before me a notary public depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.

Sally Settle Ketron, Notary Public

My Commission expires: January 31, 2019

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE: Application of GeoMet Operating Company, Inc. for the Forced Pooling of Interests in CBM Unit C-45, Docket No. VGOB-06-1114-1790 in the Garden District, Bradshaw Quadrangle, Buchanan County, Virginia.

AFFIDAVIT OF MCKINNIS & SCOTT, Attorneys-at-Law, Agents for the Designated Operator REGARDING ELECTIONS, ESCROW ACCOUNTS AND SUPPLEMENTAL ORDER

Timothy E. Scott (herein Affiant), being duly sworn on oath, deposes and says:

- That the Affiant is an attorney in the law firm of MCKINNIS & SCOTT, the Agent for the Designated Operator, with offices located at 135 W. Main Street, Suite 200, Kingsport, Tennessee 37660, and is authorized to give this Affidavit in its behalf:
- That the Order entered on February 26, 2007, by the Virginia Gas and Oil Board regarding the captioned coalbed methane gas unit required the Applicant to mail a true and correct copy of said Order to each person pooled by said Order;
- 3. That within seven (7) days of the receipt of an executed and recorded copy of the Order referred to at Paragraph 2, above, Designated Operator was directed to cause a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who are added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Abingdon, Virginia;
- 4. That the Order of the Virginia Gas and Oil Board in the captioned matter required all persons pooled thereby to tender written notice of their election of the option selected under Paragraph 9 of the Order to the Designated Operator within thirty (30) days from the date of receipt of a copy of the recorded Order;
- 5. That the Designated Operator has established procedures to review all mail received and all written documents received by means other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any,

made with regard to Subject Drilling Unit; that the following persons or entities delivered, by mail or otherwise, written elections to the Unit Operator, within the thirty day elections period:

NONE

6. That the interest and/or claims of the following persons or entities (who made timely elections, or who are deemed under the terms of the Board's Order to have leased, or who, subsequent to the pooling hearing held in the captioned matter, have leased or otherwise entered into an agreement with the Designated Operator) are subject to escrow under the Board's Order pooling the captioned Unit, as unknown or unlocatable:

See Exhibit E

7. That after the pooling hearing held in the captioned matter, the following persons or entities have leased or entered into a voluntary agreement with the Designated Operator with regard to their interest and/or claims:

NONE

8. That the Designated Operator with regard to persons previously requiring the services of the Escrow Agent have now reached an agreement regarding their interests or claims that allows Applicant/Designated Operator to make royalty distribution without the need to escrow funds which would otherwise be in conflict:

NONE

9. That the Respondents identified in Exhibit B-3 hereto have not made a timely election and have failed to enter into an agreement with the Designated Operator and their respective coalbed methane rights, interests and claims shall be deemed to have leased to Applicant/Designated Operator pursuant to and in accordance with Paragraph 10 of the Board Order dated February 26, 2007:

See Exhibit B-3

10. The Designated Operator requests that the following persons be dismissed as Respondents:

NONE

That pursuant to the provisions of 4VAC 25-160.70.A.10 and .C and VAC 25-160-80, annexed hereto and incorporated herein is a proposed supplemental order to be entered to complete the record regarding elections; that said annexed amended

supplemental order sets forth that the services of the Escrow Agent are required in this matter pursuant to the terms of §§ 45.1-361.21.D and 45.1-361.22.A.3 and .4.

Dated at Kingsport, Tennessee, this _______day of April, 2015.

Timothy E. Scott, Affiant

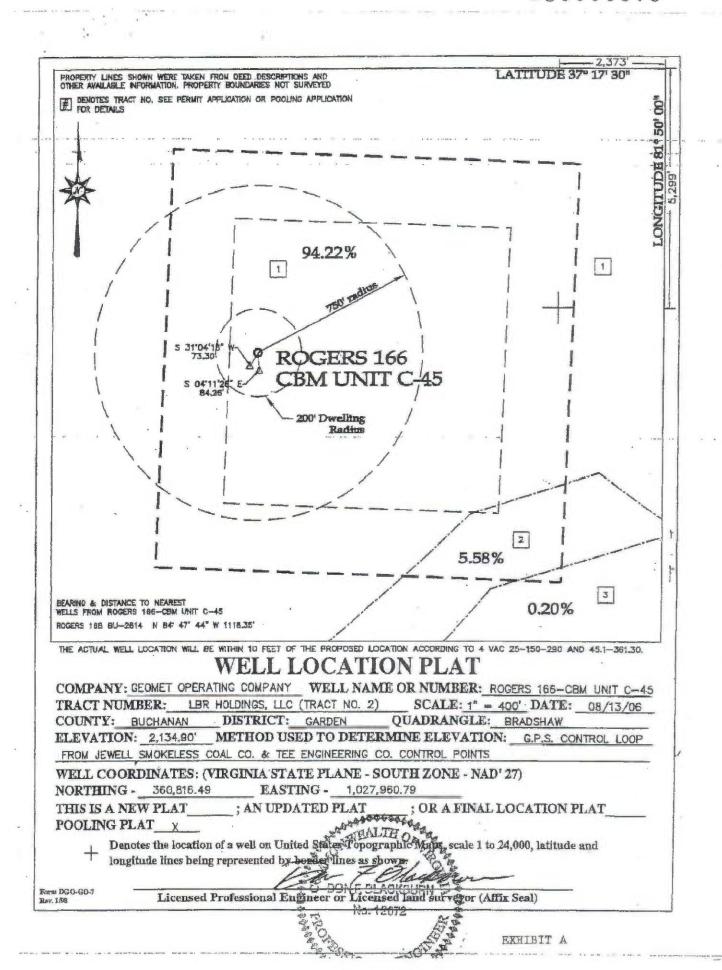
Taken, subscribed and sworn to before me by Timothy E. Scott, the Agent for GeoMet Operating Company, Inc., on behalf of the corporation, this / / day of April, 2015.

Workam. Kane

My commission expires: 7-18-2017

[f:msword2000\atlas 2015\pooling.C-45.supporder&aff amended]





Well Name: Rogers 166 CBM Unit C-45

Pooling Plat Attachment A

Plat Tract Number	Owners	Percentage	Ownership
1.) Tract Number 2	LBR Holdings, LLC		94,22%
2.)	Pocahomas Mining, LLC/ Josh White Tract/h	Hobert Day Heirs	5.58%
3.) Tract Number 67	Pocahontas Mining, LLC		0,20%

Location Description: 0.61 miles southwest of State Route 635's jct. w/ State Route 616 and 3.17 miles northeast of State Route 635's jct. w/ State Route 638.

EXHIBIT B-3 PARTIES WHO HAVE NOT REACHED AGREEMENT WITH OPERATOR ROGERS 166-CBM UNIT C-45 VGOB-DGCKET-NO.-06-1114-1790

TRACT	LESSOR	LEASE STATUS	INTEREST WITHIN UNIT	GROSS ACREAGE IN UNIT
		Coal Estate Only		
Tract 2 Pocahontas Mining Limited Liability Co./ Josh White Tr. /Hobert Day Heirs Tr.	CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701	Coalbed Methane Gas Lessee	3.720000%	2.976000
	Hobert Day Heirs			
N. de	(1)Hazel D. Mathews Heir (a)Sharon Baucom 4221 Twin Pines Road Portsmouth, VA 23703	Unleased -	0.265714%	.0.212571
	(2)Estate of Sybil D. Baldwin c/o James Everett Baldwin 15616 Carrollton Blvd. Carrollton, VA 23314-2310	Unleased	0.265714%	0.212571
	(3)Edith D. Rattiff 107 E. Ridge Road Islamorada, FL 33036	Unleased	0.265714%	0.212571
	(4)Ola Gay D. Jordan 15281 Turner Drive Smithfield, VA 23430	Unleased	0.265714%	0.212571
	(5)King David Day 15562 Carrollton Blvd. Carrollton, VA 23314	Unleased	0.265714%	0.212571
	(D) N (a) D 1			
	(6) Naaman W. Day Heirs (a) Thelma F. Day Lovelace 22801 Rein Street East Detroit, MI 48021	Unleased	0.088572%	0.070858
	(b)Debra D. Williamson c/o Thelma F. Day Lovelace 22801 Rein Street East Detroit, MI 48021	Unleased	0.044286%	0.035429

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EXHIBIT B-3 PARTIES WHO HAVE NOT REACHED AGREEMENT WITH OPERATOR ROGERS 166-CBM UNIT C-45 VGOB DOCKET NO. 06-1114-1790

1.0					
TRACT	LESSOR		LEASE STATUS	WITHIN UNIT	-GROSS ACREAGE IN UNIT
	(c)Glen A. Day 15274 Carroll Bridge Road Smithfield, VA 23430-7211		Unleased	0.044286%	0.035429
	(d)Hobert W. Day Address Unknown		Unleased	0.044286%	0.035429
	(e)Pernell A. Day Address Unknown		Unleased	0.044286%	0.035429
W W W	(7) <u>Garrett Day Heirs</u> <u>Estate of Allie S. Gillespie</u> (a) Troy Otto Gillespie (Life Es 20307 Cleveland Road Abingdon, VA 24211	state)	Unleased	0.265714%	0.272571
	(b)Annette Johnson Testame Trustee for Jacqueline Carroll Hogmire and Joanna Lynn Hogmire (Remainder Interest 412 W. State Street Princeton, IN 47670-1344				
			Subtotal:	5.580000%	4.464000
Tract 3 Pocahontas Mining Co. Tr. No. 67	CNX Gas Company LLC 2481 John Nash Bivd, Bluefield, WV 24701		Coalbed Methane Gas Lessee	0.200000%	0.160000
			Subtotal:	0.200000%	0.160000
	Percentage of Unit Unleased	- Coal Es	state	5.780090%	
	Acreage in Unit Unleased - Co				4.624000

[c:\msword2000\geomet\pocling.ragers166-c45.exb-3]

EXHIBIT B-3 PARTIES WHO HAVE NOT REACHED AGREEMENT WITH OPERATOR ROGERS 166-CBM UNIT C-45 VGOB-DOCKET-NO-06-1114-1790

	+);		INTEREST	GROSS
	. =0005	LEASE STATUS	WITHIN	ACREAGE IN UNIT
TRACT	LESSOR	SIAIUS	CIVIT	111 01111
		Gas Estate Only		
Tract 1 LBR Holdings, LLC et al. Tr. No. 2	Jason Poulos 10870 SW 95 th Street Miami, FL 33176	Unleased	1.962917%	1.570334
	Gregory Poulos 1894 Gienwood Street NE Palm Bay, FL 32907-2423	Unleased	1.962917%	1.570333
	Pamela Poulos 1444 Mendavia Avenue Coral Gables, FL 33146	Unleased	1.962916%	1.570333
	T, G. Rogers, III 15105-D John J. Delaney # 305 Charlotte, NC 28277	Unleased	1.472187%	1.177750
	Shaun Rogers 5445 Rosewood Road Vero Beach, Florida 32960	Unleased	1.472187%	1.177750
	Kevin Rogers 139 Wickham Road Garden City, NY 11530	Unleased	1.472188%	1.177750
t.	Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	Unleased	1.472188%	1.177750
		Subtotal:	11.777500%	9.422000

EXHIBIT B-3 PARTIES WHO HAVE NOT REACHED AGREEMENT WITH OPERATOR ROGERS 166-CBM UNIT C-45 VGOB-DOCKET-NO. 06-1114-1790

		4		
TRACT	LESSOR	LEASE STATUS	INTEREST WITHIN UNIT	GROSS ACREAGE IN UNIT
Tract 2 Pocahontas Mining Limited Liability Co./ Josh White Tr.	CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701	Coalbed Methane Gas Lessee	3.720000%	2.976000
/Hobert Day Heirs Tr.				
	Hobert Day Heirs			
	(1)Hazel D. Mathews Heir (a)Sharon Baucom 4221 Twin Pines Road Portsmouth, VA 23703	Unleased	0.265714%	0.212571
	(2)Estate of Sybil D. Baldwin c/o James Everett Baldwin 15616 Carrollton Bivd. Carrollton, VA 23314-2310	Unleased	0.265714%	0.212571
	(3)Edith D. Ratilff 107 E. Ridge Road Islamorada, FL 33036	Unleased	0.265714%	0.212571
	(4)Ola Gay D. Jordan 15281 Turner Drive Smithfield, VA 23430	Unleased	0.265714%	0.212571
	(5)King David Day 15562 Carrollton Blvd. Carrollton, VA 23314	Unleased .	0.265714%	0.212571
	(6)Naaman W. Day Heirs (a)Thelma F. Day Lovelace 22801 Rein Street East Detroit, MI 48021	Unleased	0.088572%	0,070858
	(b)Debra D. Williamson c/o Thelma F. Day Lovelace 22801 Rein Street East Detroit, MI 48021	Unleased	0.044286%	0.035429

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				INTERPOR	CDOCC
TRACT	LESSOR	LEASE STATUS		INTEREST WITHIN UNIT	GROSS ACREAGE IN UNIT
	(c)Glen A. Day 15274 Carroll Bridge Road Smithfield, VA 23430-7211	Unleased		0.044286%	0.035429
	(d)Hobert W. Day Address Unknown	Unleased		0.044286%	0.035429
	(e)Pernell A. Day Address Unknown	Unleased		0.044286%	0.035429
	(7) Garrett Day Heirs Estate of Allie S. Gillespie (a) Troy Otto Gillespie (Life Estate) 20307 Cleveland Road Abingdon, VA 24211	Unleased		0.265714%	0.272571
	(b)Annette Johnson Testamentary Trustee for Jacqueline Carroll Hogmire and Joanna Lynn Hogmire (Remainder Interest) 412 W. State Street Princeton, IN 47670-1344				
		Subtotal:		5.580000%	4.464000
Tract 3 Pocahontas Mining Co. Tr. No. 67	CNX Gas Company LLC 2481 John Nash Blvd. Bluefield, WV 24701	Coalbed Methane Gas Lessee		0.200000%	0.150000
		Subtotal:		0.200000%	0.160000
	Percentage of Unit Unleased - Gas Es	tate		17.557500%	
	Acreage in Unit Unleased - Gas Estate	;	p. R		14.046000

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EXHIBIT E LIST OF CONFLICTING AND UNKNOWN OR UNLOCATABLE OWNERS/CLAIMANTS THAT REQUIRE ESCROW

ROGERS 166-CBM UNIT C-45 VGOB DOCKET NO. 06-1114-1790

> PERCENTAGE OWNERSHIP OF TRACT IN DISPUTE

PERCENTAGE OWNERSHIP OF UNIT IN DISPUTE

Tract 1 LBR Holdings, LLC et al. Tr. No. 2 (94.22% of unit)

12-1/2% OF THE COALBED METHANE INTEREST, THE OWNERSHIP OF WHICH IS IN DISPUTE BETWEEN THE FOLLOWING COAL OWNER AND OIL AND GAS OWNERS:

COAL FEE OWNERSHIP

(1)	LBR Holdings, LLC Fon Rogers, II, Manager P. O. Box 22427	12.500000%	11.777500%
	Lexington, KY 40522-2427 Total - Coal	12.500000%	11.777500%
OIL	GAS FEE OWNERSHIP		
(1)	Jason Poulos 10870 SW 95 th Street Miami, FL 33176	2.083334%	1.962917%
(2)	Gregory Poulos 1894 Glenwood Street NE Palm Bay, FL 32907-2423	2.083333%	1.962917%
(3)	Pamela Poulos 1444 Mendavia Avenue Coral Gables, FL 33146	2.083333%	1.962917%
(4)	T. G. Rogers, III 15105-D John J. Delaney # 305 Charlotte, NC 28277	1.562500%	1.472187%
(5)	Shaun Rogers 5445 Rosewood Road Vero Beach, Florida 32960	1.562500%	1,472187%

EXHIBIT E LIST OF CONFLICTING AND UNKNOWN OR UNLOCATABLE OWNERS/CLAIMANTS THAT REQUIRE ESCROW

ROGERS 166-CBM UNIT C-45 VGOB DOCKET NO. 06-1114-1790

		PERCENTAGE OWNERSHIP OF TRACT IN DISPUTE	PERCENTAGE OWNERSHIP OF UNIT IN DISPUTE
(6)	Kevin Rogers 139 Wickham Road Garden City, NY 11530	1.562500%	1.472187%
(7)	Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	1.562500%	1.472188%
	Total - Gas	12.500000%	11.777500%
P * ** # 2 ***	Subtotal: Tract 1	12.500000%	11.777500%

EXHIBIT E LIST OF CONFLICTING AND UNKNOWN OR UNLOCATABLE OWNERS/CLAIMANTS THAT REQUIRE ESCROW

ROGERS 166-CBM UNIT C-45 VGOB DOCKET NO. 06-1114-1790

TRACT	LESSOR	LEASE STATUS	INTEREST WITHIN UNIT	GROSS ACREAGE IN UNIT
		Gas Estate Only		
T	(O) M	1		
Tract 2 Pocahontas Mining Limited Liability Co./	(6)Naaman W. Day Heirs (d) Hobert W. Day Address Unknown	Unleased	0.044286%	0.035429
Josh White Tr. /Hobert Day Heirs Tr.	(e) Pernell A. Day Address Unknown	Unleased	0.044286%	0.035429
		Subtotal:.Tract.2	0.088572%	0.070858
		Coal Estate Only		
Tract 2 Pocahontas Mining Limited Liability Co./	(6)Naaman W. Day Heirs (d) Hobert W. Day Address Unknown	Unleased	0.044286%	0.035429
Josh White Tr. Hobert Day Heirs Tr.	(e) Pernell A. Day Address Unknown	Unleased	D.044286%	0.035429
		Subtotal: Tract 2	0.088572%	0.070858
			*	
	ercentage Ownership of Unit in Disputercentage Ownership of Unit Unlocata			777500% 088572%

VIRGINIA: In the Clerk's Office of the Circuit Court of Buchanan County. The foregoing instrument was this day presented in the brice aforesaid and is together with the certificate of acknowledgment annexed, admitted to record this day of the day of the

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RECORDED IN THE CLERK'S OFFICE OF BUCHANAN COUNTY ON JUNE 3, 2015 AT 11:30AM

> BEVERLY S. TILLER, CLERK RECORDED BY: GGB